

<p><b>PRIMARY ENCLOSURE-CONSTRUCTION</b></p>	<p>An animal transported in commerce must be contained in an adequately ventilated, properly constructed primary enclosure. [3.14, 3.36, 3.61, 3.87, 3.113, 3.137]</p>
<p><b>Criteria</b></p>	<p>A primary enclosure, such as a compartment, transport cage, carton, or crate, used to transport an animal in commerce must be properly constructed.</p> <p>The transport primary enclosure must:</p> <ul style="list-style-type: none"> <li>• be strong enough to contain the animal securely and comfortably</li> <li>• be able to withstand the normal rigors of transportation</li> <li>• have an interior without any sharp points, edges, or protrusions that could injure the animal</li> <li>• be designed so that the animal can be quickly and easily removed in an emergency</li> <li>• have adequate devices, such as handles or handholds, on the exterior to:             <ul style="list-style-type: none"> <li>▶ enable the enclosure to be lifted without tilting</li> <li>▶ ensure that anyone handling the enclosure can avoid contact with the animal unless necessary</li> </ul> </li> <li>• be constructed to prevent leakage of fluids during transit</li> <li>• be constructed of a material that is:             <ul style="list-style-type: none"> <li>▶ cleanable and sanitizable, or</li> <li>▶ disposable</li> </ul> </li> </ul> <p>Non-disposable primary enclosures must be cleaned and sanitized prior to reuse.</p>
<p><b>Species Specific</b></p>	<p><b>Dogs &amp; Cats</b></p> <p>The primary enclosure must be designed and constructed to: [3.14(a)(9)]</p> <ul style="list-style-type: none"> <li>• prevent seepage of waste products by having a:             <ul style="list-style-type: none"> <li>▶ solid, leakproof bottom containing unused litter, or</li> <li>▶ removable leakproof collection tray under a slatted or wire mesh floor</li> </ul> </li> </ul>

- prevent any part of the animal from protruding outside the enclosure in a way that could result in injury to the animal or to any nearby person or animal

A slatted or wire mesh floor must be designed and constructed:  
[3.14(a)(9)]

- to protect the animal's feet and legs from injury
- to not allow the animal's feet to pass through the openings

Any material, treatment, paint, preservative or other chemical used in or on the primary enclosure must be safe and non-toxic to the animal. [3.14(a)(7)]

### **Nonhuman Primates**

The primary enclosure must be designed and constructed to:  
[3.87(a)(10)]

- prevent seepage of waste products by having a:
  - ▶ solid, leakproof bottom containing unused litter, or
  - ▶ removable leakproof collection tray under a slatted or wire mesh floor
- prevent any part of the animal from protruding outside the enclosure in a way that could result in injury to the animal or to any nearby person or animal

A slatted or wire mesh floor must be designed and constructed:  
[3.87(a)(10)]

- to protect the animal's feet and legs from injury
- to not allow the animal's feet to pass through the openings

Doors or other means of access into the enclosure must be secured with animal-proof devices that prevent accidental opening of the enclosure. [3.87(a)(5)]

Any material, treatment, paint, preservative or other chemical used in or on the primary enclosure must be safe and non-toxic to the animal. [3.87(a)(7)]

Two or more primary enclosures may be connected or attached to each other. [3.87(a)]

**Marine Mammals**

RESERVED-Pending approval of the negotiated rules.

---